REMARKS

The following is intended as a full and complete response to the Final Office Action dated July 10, 2008, having a shortened statutory period for response set to expire on October 10, 2008. The Examiner rejects claims 1-25 and 34-36 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. The Examiner rejects claims 1-25 and 34-36 under 35 U.S.C. §103(a) as unpatentable over Ryan (U.S. 6,374,036) in view of Fukushima (U.S. 6,388,638) and in further view of Gonzales (U.S. 2007/0005795).

Interview Summary

In the telephone interview of September 4, 2008, the Examiner indicated she was inclined to withdraw the §112 rejection, but not the art rejection. It is respectfully submitted that, in the last Office Action, the Examiner's prior art argument was almost entirely based on giving weight to the "single frame" limitation. It is believed the claims are distinguishable, as explained below, and should therefore be allowed.

Rejections under §112

The Examiner rejects claims 1-25 and 34-36 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. The rejection under 35 U.S.C. §112 is respectfully traversed.

The Examiner quotes from claim 1 and alleges that the limitations of "a portion of the frame being modified from a preceding frame in the sequence to generate an altered frame" added to the claim constitutes new matter. The Examiner also alleges that claim 7 recites new matter in the limitations of "a portion of the one frame being altered from a preceding frame in the sequence to generate an altered frame" added to this claim. The Examiner then urges that the claims clearly recite a single frame, which is not the same and/or equivalent to more than one of a plurality of frames.

In the first place, contrary to the Examiner's position that such matter was neither originally disclosed in the specification nor claimed, the Examiner is referred to claims 3, 4 and 5, each of which refers to altering a single frame, for supporting material. The Examiner is also referred to paragraph [0032] of the present application, which provides a specific description of altering a single frame in the sequence of frames (see, for

example, the sixth line of paragraph [0032] and again at line 8). The Examiner is also referred to a further example at lines 11 and 12 of paragraph [0032]. Thus, the limitations in question clearly appeared both in the specification, as originally filed, and in the claims, as originally filed. For these reasons, the Examiner's rejection cannot be supported and must be withdrawn.

Rejections under §103(a)

The Examiner rejects claims 1-25 and 34-36 under 35 U.S.C. §103(a) as unpatentable over Ryan (U.S. 6,374,036) in view of Fukushima (U.S. 6,388,638) and in further view of Gonzales (U.S. 2007/0005795). These rejections are respectfully traversed.

The Examiner first relies on Ryan as teaching altering image content within a rendering unit is response to tags in a data stream provided thereto, citing 5:42-67 and 9:45-67 of the reference. The Examiner then argues that it is obvious that Ryan's intention is to present the video for viewing if modifications are made. However, this argument must fail. Ryan clearly teaches at 7:52-56 that the disclosed marker, which the Examiner analogizes to a tag, is eliminated with the first recording of the content. Therefore, it is not possible to utilize that marker to cause the altered frame to be displayed as unaltered on a continuing basis since the marker is eliminated.

The Examiner further argues that Ryan discloses tags associated with frames stored in a table (see page 5, second full paragraph of the reference). However, the Examiner concedes more than once that Ryan does not teach an action table, as claimed. Ryan also does not make alterations to a frame as called for by an action table. Finally, Ryan's teachings are useful, not for making a single frame visible or invisible, but for making a copy of the frame.

The Examiner next relies on Fukushima. However, Fukushima does not teach anything relevant to the invention. The Examiner has only selected Fukushima because he teaches that making real time display calculations is difficult and results in unnatural images. However, Fukushima solves the problem of changing displayed images in correspondence with a viewer's head movement (column 9, lines 20-22) by approximating changes in the displayed image based on the detected range of motion of a viewer's head. There is no reason for combining the teachings of Fukushima and

Ryan. Fukushima has nothing to do with a method for protecting digital content. Fukushima is concerned only with simplifying the calculation loads by approximating the amount of motion of a viewer's head and then modifying the image to be displayed to the viewer based on the approximated range of motion (see Office Action 10:7-15). Fukushima does not teach anything about altering a frame in a set of frames within a stream of data in order to protect digital content. Therefore, Fukushima adds nothing to the rejection made by the Examiner.

The Examiner then quotes extensively from Gonzales at pages 5-7 of his Office Action. However, Gonzales never teaches the control display or altered display of a single frame, and does not associate such a display or lack of display with an action table as required by the claims. As such, Gonzales fails to cure the deficiencies of Ryan and Fukushima.

Finally, the Examiner argues at pages 16 and 17 of the Office Action that there is no supporting teaching in the specification of detecting tags in a stream of data that identifies a singular altered frame in a sequence of frames. The first section of this response has established that such a limitation is, in fact, supported in the claims, as originally filed, and extensively described in the application, as originally filed.

In view of these clear distinctions, reconsideration and allowance of all the claims is respectfully requested.

CONCLUSION

Based on the above remarks, Applicants believe that they have overcome all of the objections and rejections set forth in the Final Office Action mailed July 10, 2008, and that the pending claims are in condition for allowance. If the Examiner has any questions, please contact the Applicant's undersigned representative at the number provided below.

Respectfully submitted,

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